

SENATE BILL 3608
By Person, Curtis

AN ACT to amend Tennessee Code Annotated, Section 63-13-312 and Section 63-6-602 relative to the practice of medicine.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-602, is amended by adding the following language as a new, appropriately designated subsection:

(c) The provisions of subsection (a) shall not apply to physicians when health care services are furnished in:

- (1) The offices of the referring physician or the physician's group practice;
- (2) The same building as the offices of the referring physician or the physician's group practice; or
- (3) A centralized building that is used by the physician or the physician's group practice for the provision of health care services.

SECTION 2. Tennessee Code Annotated, Section 63-6-602(b), is amended by deleting from the first sentence of the subsection the language "this section" and by substituting instead the language "subsection (a)".

SECTION 3. Tennessee Code Annotated, Section 63-13-312(11), is amended by deleting such subdivision in its entirety and by substituting instead the following:

(11) Directly or indirectly requesting, receiving, or participating in the dividing, transferring, assigning, rebating or refunding of an unearned fee, or profiting by means of a credit or other valuable consideration, such as an unearned commission, discount, or gratuity in connection with the furnishing of physical therapy services. Nothing in this subdivision prohibits the members of

any regularly and properly organized business entity recognized by law and comprised of physical therapists or physicians from dividing fees received for professional services among themselves as they determine necessary to defray their joint operating expenses or prohibits physical therapists from being employed by or contracting with a third party that provides physical therapy services;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.